

Appl. No. 09/976,199

Attorney Docket: 042390.P9821

REMARKS

The above referenced patent application has been reviewed in light of the Office Action, dated July 13, 2005, in which:

- claim 11 is objected to as containing a typographical error;
- claims 1, 3-7, 10-11, and 13-18 are rejected under 35 U.S.C. § 103(a) on Shen *et al.* (hereinafter 'Shen;' US Patent No. 6,414,661 B1) in combination with Yamazaki *et al.* (hereinafter 'Yamazaki;' US Patent No. 6,528,951 B2); and
- claims 8, 9, and 19 are rejected under 35 U.S.C. § 103(a) on Shen and Yamazaki in further combination with Kane (US Patent No. 6,229,508 B1).

Reconsideration of the above referenced patent application in view of the foregoing amendments and the following remarks is respectfully requested.

Claims 1, 3-11, 13-19 are now pending the above referenced patent application. Claim 11 has been amended to address an inadvertent and minor typographical error, and, therefore, does not result in prosecution history estoppel and neither broaden nor alter the scope of the claims. . No new matter has been entered. No claims have been cancelled or added.

Appl. No. 09/976,199

Attorney Docket: 042390.P9821

1. Objection: Typographical Error

1.1. Claim 11

The PTO has objected to claim 11 as containing a minor typographical error. Claim 11 inadvertently contained the double phrase "having a having a" on line 7. Applicants thank the Examiner for pointing this error out and have amended the claim to address the PTO's concerns. No new matter has been entered. Support for the amendment lies within the original claims and the specification as originally filed. It is respectfully asserted that these amendments are merely directed to matters of form, and, therefore, do not result in prosecution history estoppel and neither broaden nor alter the scope of the claims. It is respectfully requested that the foregoing claim objections be withdrawn.

Appl. No. 09/976,199

Attorney Docket: 042390.P9821

2. 35 U.S.C. § 103(a)**2.1. Shen and Yamazaki: Claims 1, 3-7, 10-11, and 13-18**

The PTO has also rejected claims 1, 3-7, 10-11, and 13-18 under 35 U.S.C. § 103(a) based upon Shen in combination with Yamazaki. The rejection of these claims is respectfully traversed.

M.P.E.P. § 706.02(j) sets forth the standard for a § 103(a) rejection:

To establish a *prima facie* case of obviousness, three basic criteria must be met.

First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or combine reference teachings.

Second, there must be a reasonable expectation of success.

Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.

The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991) (whitespace added).

Applicant begins with claim 1. Claim 1 recites:

1: (Previously Presented) A method for at least partially compensating luminance of an emissive display comprising:
 having a desired luminance, as a function of time, for one or more organic light emitting diodes (OLEDs) included in said emissive display;
 estimating the amount of degradation of the OLEDs; and
 utilizing, at least in part, the estimated amount of degradation, attempting to adjust (adjusting) the luminance of the OLEDs to the desired luminance.

Applicants respectfully assert that the combination set forth by the PTO fails to meet the requirement for a *prima facie* case for a § 103(a) rejection for at least the following reasons.

Appl. No. 09/976,199

Attorney Docket: 042390.P9821

It is respectfully asserted that neither Shen nor Yamazaki, either alone or in combination, suggests or describes attempting to adjust (adjusting) the luminance of the OLEDs to the desired luminance, which is a function of time.

Shen instead recommends calibrating the display device to provide “uniform light output.” Applicants respectfully assert that the limitation of the Applicants’ claim refers to constant luminance temporally, as the one or more OLEDs degrades. In contrast, Shen’s reference to “uniform light output” does not deal with the OLEDs but to the display as a whole, and a uniform light output spatially across the display. Nor does Shen suggest or describe adjusting the actual luminance to a desired luminance with is based upon time.

In the July 13, 2005 Office Action, the PTO retorts that Shen meets the “desired luminance, as a function of time” limitation in column 5, lines 5-20. It is respectfully asserted that neither this nor any other portion of Shen meets this limitation. It is asserted that while Shen discusses that the efficiency or luminance of a display changes over time, Shen does not discuss a desired luminance that changes over time. Shen instead discusses the actual or unadjusted luminance not the desired luminance. As such, Shen column 5, lines 5-20 and the associated are not significantly more enlightening than the concept described in the “Background Information” section of the Applicants’ specification. Shen does not describe, teach, or show, having a desired luminance that varies with time, but instead shows an unadjusted luminance that varies with time. As shown by Shen Figs. 5A, 5B, 6, & 7, Shen determines the desired luminance based upon the spatial characteristics of the display not the temporal characteristics. Therefore, it is respectfully asserted that Shen continues to support a § 103 rejection.

Appl. No. 09/976,199

Attorney Docket: 042390.P9821

As the Examiner points out, Yamazaki does not address temporal (i.e. time based) degradation but instead Yamazaki addresses degradation due to temperature. See, Yamazaki, column 1, lines 18-22 and column 31, lines 49 to column 32, line 14.

Therefore, even if the combination were proper, although Applicants believe that it is not, nonetheless, the combination would still fail to produce the invention as recited in the rejected claims. It is, therefore, respectfully requested that the rejection of this claim be withdrawn.

Claims 13-7, 10-11, and 13-18 either depend from and include the limitations of claim 1, or include a substantially similar and patentably distinct limitation as claim 1. Therefore, these claims patentably distinguish from the cited patents on the same basis as claim 1. It is, therefore, respectfully requested that the PTO withdraw the rejections of these claims.

2.2. Kane, Shen, and Yamazaki: Claims 8, 9, and 19

The PTO has also rejected claims 8, 9, and 19 under 35 U.S.C. § 103(a) on Shen and Yamazaki in combination with Kane. The rejection of these claims is also traversed.

Applicant begins with claim 8. Claim 8 recites:

1 8: (Original) The method of claim 7, wherein increasing includes utilization of a lookup table.

Claim 8 ultimately depends from the independent claim 1. Claim 1 recites:

1 1: (Previously Presented) A method for at least partially compensating luminance of an emissive
2 display comprising:
3 having a desired luminance, as a function of time, for one or more organic light emitting
4 diodes (OLEDs) included in said emissive display;
5 estimating the amount of degradation of the OLEDs; and
6 utilizing, at least in part, the estimated amount of degradation, attempting to adjust
7 (adjusting) the luminance of the OLEDs to the desired luminance.

Appl. No. 09/976,199

Attorney Docket: 042390.P9821

Applicants respectfully assert that the combination set forth by the PTO fails to meet the requirement for a *prima facie* case for a § 103(a) rejection for at least the following reasons.

It is respectfully asserted that neither Shen, Yamazaki, nor Kane, either alone or in combination, suggests or describes attempting to adjust (adjusting) the luminance of the OLEDs to the desired luminance, which is a function of time. See the discussion above. Therefore, even if the combination were proper, although Applicants believe that it is not, nonetheless, the combination would still fail to produce the invention as recited in the rejected claims. It is, therefore, respectfully requested that the rejection of this claim be withdrawn.

Claims 9 and 19 either depend from and include the limitations of claim 8, or include a substantially similar and patentably distinct limitation as claim 8. Therefore, these claims patentably distinguish from the cited patents on the same basis as claim 8. It is, therefore, respectfully requested that the PTO withdraw the rejections of these claims.

Appl. No. 09/976,199


Attorney Docket: 042390.P9821

CONCLUSION

In view of the foregoing, it is respectfully asserted that all claims pending in this application, as amended, are in condition for allowance. If the Examiner has any questions, they are invited to contact the undersigned at 503-264-7002 or justin.scout@intel.com. Reconsideration of this patent application and early allowance of all claims is respectfully requested.

Respectfully submitted,

Dated: Thu Oct 13, 2005


Justin B. Scout
Reg. No. 54,431

c/o Blakely, Sokoloff, Taylor & Zafman, LLP
12400 Wilshire Blvd., Seventh Floor
Los Angeles, CA 90025-1026
(503) 264-0967